



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

April 5, 2016

Johnny Kanounji  
75 S. Parkwood Ave.  
Pasadena, CA 91107

**REGARDING: PROJECT NO. R2015-01021-(5)  
CONDITIONAL USE PERMIT NO. 201500046  
2361 FLORENCITA AVE., MONTROSE (APN #5807-022-025)**

Hearing Officer Alex Garcia, by his action of **April 5, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **April 19, 2016. Appeals must be delivered in person.**

**Appeals:** To file an appeal, please contact:  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Steve Mar of the Zoning Permits East Section at (213) 974-6435, or by email at [smar@planning.lacounty.gov](mailto:smar@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Maria Masis, Supervising Regional Planner  
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)  
c: DPW (Building and Safety); Zoning Enforcement

MM:SM

**FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-01021-(5)  
CONDITIONAL USE PERMIT NO. 201500046**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201500046 ("CUP") on April 5, 2016.
2. The permittee, the Armenian Sisters Academy ("permittee"), requests the CUP to authorize the construction of a new 13,120 square foot indoor exercise gymnasium as an accessory use to an existing private school (preschool to 8<sup>th</sup> grade) and to continue the operation of the existing school ("Project") on a property located at 2361 Florencita Drive in the unincorporated community of Montrose ("Project Site") in the R-3 (Limited Density Multiple Residence) zone pursuant to Los Angeles County Code ("County Code") section 22.20.290. The gymnasium will be used for student physical education classes only and provides no seating for spectators and will not be used for other events. The operation of the school was previously approved under CUP No. 200700040 in October 2009. In addition to the new gymnasium, the CUP would allow the continued operation of the school with a new grant term that will maintain the current maximum allowed student enrollment of 500 students and the school's current operating hours of 8:00 a.m. to 4:00 p.m., Monday through Friday for classes and 7:00 a.m. to 6:00 p.m., Monday through Friday for day care services.
3. The Project Site is 3.08 acres in size and consists of one legal lot. The Project Site is rectangular in shape with gentle-sloping topography and is developed with a preschool to 8<sup>th</sup> grade private school.
4. The Project Site is located in the Montrose Zoned District and is currently zoned R-3 (Limited Density Multiple Residence).
5. The Project Site is located within the 3 – Medium Density Residential land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:  
  
North: R-3 (Limited Density Multiple Residence), C-3 (General Commercial)  
South: R-3, City of Glendale (N/A)  
East: R-3, C-2-BE (Neighborhood Commercial – Billboard Exclusion)  
West: R-3, R-2 (Two-Family Residence)
7. Surrounding land uses within a 500-foot radius include:  
  
North: Multi-family Residences, Single-family Residences  
South: Multi-family Residences, Single-family Residences, Commercial Retail and Office  
East: Multi-family Residences, Single-family Residences  
West: Multi-family Residences, Single-family Residences, Commercial Office
8. The Project Site was zoned R-3 in 1936. In 1995, Conditional Use Permit No. 95091 was approved for the operation and maintenance of the school. On October 20, 2009, Conditional Use Permit No. 200700040 was approved for the continued operation of the school.

9. The site plan for the Project depicts the existing school located on a 3.08 acre lot. The school consists of various classroom buildings and a multi-purpose hall building. The multi-purpose hall has a maximum occupancy load of 291 persons. The new 13,120 square foot gymnasium will be built to the north of the existing school buildings at a site that currently contains the school's outdoor basketball courts. School buildings front along Florencita Drive to the south. The site contains 109 parking spaces, with most parking spaces located to the north of the existing school buildings with vehicular access via a driveway off of Mira Vista Avenue to the north. Three (3) ADA parking spaces are located towards the front of the school and are accessed via a secondary driveway off of Florencita Drive. A third driveway off of Florencita Drive is located on the west side of the property.
10. The Project Site is accessible via Florencita Drive to the south and Miravista Avenue to the north. Primary access to the Project Site will be via an entrance/exit on Miravista Avenue. Secondary access to the Project Site will be via an entrances/exits on Florencita Drive.
11. The Project will provide a total of 109 parking spaces, which exceeds the Project's parking requirements. Section 22.52.1200 of the County Code states that schools with students above sixth grade shall provide parking for one automobile for each five persons, based on the occupant load of the largest auditorium or room used for public assembly. The largest assembly space has been determined to be the existing multi-purpose hall with a maximum occupant load of 291 persons, requiring 58 parking spaces.
12. The County Department of Public Works ("Public Works") has cleared the Project to proceed to a public hearing and recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("Fire Department") has cleared the project to proceed to a public hearing and recommended conditions of approval, which are included in the Project's conditions.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 14 Minor Additions to Schools, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Categorical Exemption Class 14 allows for minor additions to existing schools within existing school grounds where the addition does not increase the original student capacity by more than 25% or ten classrooms, whichever is less. The Project is proposing the addition of a new school gymnasium to be used for physical education classes only and is not proposing any seating for spectators or for events. The project does not propose increasing its current allowed maximum enrollment of 500 students and is not proposing any additional classrooms.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Staff has not received any public comments.
16. A duly noticed public hearing was held on April 5, 2016, before the Hearing Officer. Hearing Officer Alex Garcia was in attendance for the Public Hearing. The applicant's representative, Johnny Kanounji, was present at the hearing and offered testimony in support of the project. Mr. Garcia provided comments and edits to the draft findings and conditions. There being no further testimony, Mr. Garcia closed the public hearing and approved the project.

17. The Hearing Officer finds that the Project Site is located within the 3 – Medium Density Residential land use category of the Los Angeles County General Plan. This designation is intended for areas suitable for multiple unit development. Within areas designated for residential use, a variety of other uses, such as schools, exist and General Plan policy does not preclude such uses within areas depicted as residential. The existing school and proposed new school gymnasium is compatible with its current land use designation and is therefore consistent with the permitted uses of the underlying land use category.
18. The Hearing Officer finds that the Project does not conflict with the development standards prescribed under County Code for establishments in the R-3 Zone and in the La Crescenta – Montrose Community Standards District.
19. The Hearing Officer finds that the requested use conforms to the property's existing school use. The proposed gymnasium will be built on a site on the school's yard that currently contains the school's outdoor basket courts and is not expected to adversely affect the general welfare of the surrounding area.
20. The Hearing Officer finds that the proposed gymnasium will enclose the existing outdoor basketball courts located at the school. No other physical changes or increase in student enrollment is proposed. Therefore, the site is adequate to accommodate the existing school use and the new gymnasium.
21. The Hearing Officer finds that the school is located in an urbanized area that is adequately served with all necessary infrastructure and service facilities to accommodate the proposed gymnasium.
22. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 20 years.
23. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Montrose community. On February 29, 2106, a total of 715 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Montrose Zoned District and to any additional interested parties.
24. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.

- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15314 of the State CEQA Guidelines (Class 14, Minor Additions to Schools categorical exemption); and
- 2. Approves Conditional Use Permit No. 201500046, subject to the attached conditions.

**ACTION DATE: April 5, 2016**

MM:SM  
04/05/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-01021-(5)  
CONDITIONAL USE PERMIT NO. 201500046**

**PROJECT DESCRIPTION**

The project is a Conditional Use Permit for the construction of a new indoor exercise gymnasium as an accessory use to an existing private school (preschool to 8<sup>th</sup> grade) and to continue the operation of the existing school subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.



At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on April 5, 2036.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit, Parking Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the school and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eleven (11) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall

be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies of a modified Exhibit "A"** shall be submitted to Regional Planning by **June 5, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of the proposed plans** to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.



**PROJECT SITE SPECIFIC CONDITIONS**

19. This grant shall authorize the construction of a new indoor exercise gymnasium as an accessory use to an existing private school (preschool to 8<sup>th</sup> grade) and to continue the operation of the existing school.
20. The permittee shall provide a minimum of 58 parking spaces.
21. This grant allows the operation of an existing private school and the construction of a new indoor exercise gymnasium as an accessory use subject to the following restrictions as to use:
  - a. The maximum enrollment at any time shall be 500 students;
  - b. Grade levels shall be limited to pre-school through eighth grade;
  - c. The facility shall be operated in compliance with all applicable provisions of the California Education Code;
  - d. Bells, whistles, or amplified sounds audible outside the boundaries of the subject property shall be prohibited;
  - e. Classes shall be conducted between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday;
  - f. Day care services may be provided between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday;
  - g. Outdoor special events, including but not limited to carnivals, swap meets, car washes, and other fundraising events, shall be prohibited unless authorized by a Temporary Use Permit as provided by Part 14 of Section 22.56 of the County Code.
22. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated February 8, 2016.
23. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 12, 2016.

**Attachments:**

Public Works Department Letter dated February 8, 2016  
Fire Department Letter dated June 12, 2016